

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Charlestown Mall Site - Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region II

Subject: POLREP #25
RV-1 Progress
Charlestown Mall Site
A239
Frankfort, NY
Latitude: 43.0891260 Longitude: -75.1833230

To: Judith Enck, US EPA, Region 2
Lisa Plevin, US EPA Region 2
Joe Rotola, US EPA, Region 2, ERRD-RAB
Dan Harkay, US EPA, Region 2, ERRD-RAB-RAS
Henry Guzman, US EPA, Region 2, ERRD-ORC
Irmee Lopez, US EPA, Region 2, ERRD-RAB
Tim Grier, US EPA, Headquarters, 5202G
Louis Carrock, NYS DOL
Michael Fiore, US EPA Region 2, OIG
Cecilia Echols, U.S. EPA, Region 2, PAD-ICAB-CAT
Joseph Kinney, Town of Frankfort
Robert Senior, NYSDEC Region 6
Nels Magnuson, NYSDEC Region 6
Michael Dangler, NYSDEC BECI

From: Terry Kish, On Scene Coordinator

Date: 9/29/2011

Reporting Period: 9/19/11 - 9/25/11

1. Introduction

1.1 Background

Site Number:	A239	Contract Number:	EP-S2-10-01
D.O. Number:	10	Action Memo Date:	7/16/2010
Response Authority:	CERCLA	Response Type:	Time-Critical
Response Lead:	EPA	Incident Category:	Removal Action
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	8/16/2010	Start Date:	8/16/2010
Demob Date:		Completion Date:	
CERCLIS ID:	NYC200400513	RCRIS ID:	

ERNS No.:

FPN#:

State Notification:

Reimbursable Account #:

1.1.1 Incident Category

Inactive Production Facility

1.1.2 Site Description

1.1.2.1 Location

The Charlestown Mall Site is located at 2205 Bleecker Street in the Town of Frankfort, Herkimer County, NY (43.089126 latitude, -75.183323 longitude). The Site is a former manufacturing facility that was used by various owners and industries from as early as 1894 until the mid 1970s when manufacturing ended at the Site. The Site is approximately 14.5 acres in size, of which, approximately 1.7 acres is located in the City of Utica, Oneida County, while the remainder is located in the Town of Frankfort, Herkimer County, New York. The Site is located at the eastern edge of the City of Utica in a largely commercial area. Commercial properties border the Site to the east, north, west and southeast. The Site is bordered to the southwest by the Masonic Care Community of New York, a large assisted living facility that has the capacity to serve approximately 300 residences. Approximately 400 residences are located within one mile of the Site and approximately 950 people live within one mile of the Site.

Savage Arms manufactured small arms and munitions at the Site until after WWII. Manufacturing at the Site slowed until the property was eventually sold in 1956 to Sperry Univac where early computer parts were developed and assembled. Sperry Univac operated at the site until operations ceased in 1976 and the property was sold. A portion of the facility was redeveloped as a retail shopping outlet known as the Charlestown Outlet Complex. At its peak, the shopping outlet housed 52 stores, two restaurants an off-track betting parlor and a food court. The Charlestown Mall operated at the west end of the site until 1991 when the complex became the Charlestown Business Complex which housed commercial tenants of various types.

The property was purchased by Charlestown Mall of Utica, LLC in 2007 and currently commercial use of the property is very limited.

1.1.2.2 Description of Threat

In recent years, several buildings at the Site have fallen into advanced states of deterioration. In early 2008, the New York State (NYS) Department of Labor (DOL) and NYS Department of Environmental Conservation (DEC) directed a demolition company to cease unpermitted demolition activities at the Site as no steps were taken to abate asbestos containing materials from the buildings and no variance was obtained prior to demolition. NYS DOL documented the presence of Asbestos Containing Materials (ACM) in the resulting debris piles. In October 2008, NYSDEC referred the Site to EPA for a removal site evaluation. As a result of efforts by the owner to obtain funding to come into compliance at the site, NYSDEC continued negotiations through October of 2009, when NYSDEC asked EPA to resume evaluation of the Site.

Evaluation of the Site in 2008 and 2009 has identified the presence of friable asbestos, corrosive and ignitable liquids, chlorinated solvents stored in drums and the presence of transformers filled with PCB-containing dielectric fluid which present direct contact threats to the public.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

On November 4, 2008, EPA Removal Action Branch (RAB), Criminal Investigation Division (CID) along with Removal Support Team (RST) contractors accompanied the NYSDEC Bureau of Environmental Crimes Investigations (BECI) in the execution of a search warrant to collect samples at the Site. Samples confirmed the presence of ACM both in demolition debris and within remaining deteriorated structures. During the investigation, electrical transformers were identified, some of which had been subject to salvaging. Samples confirmed that dielectric fluid released as a result of salvaging, contained PCBs in high concentrations. A sample of oily solids collected from the floor of the transformer area revealed a concentration of 44,000 mg/kg PCBs. This investigation focused solely on the dilapidated/demolished

structures on the eastern half of the Site. At that time, approximately nine commercial tenants were estimated to occupy the largely empty Site. Following this assessment, NYSDEC entered into enforcement negotiations with the owner of the property. Further evaluation of the Site by EPA was suspended, pending the outcome of those negotiations.

In October 2009, NYSDEC requested that EPA resume evaluation of the Site. EPA performed an additional removal assessment of the Site in November 2009. This assessment was expanded to include the onsite boiler house (building 6) because evidence of salvaging was observed which had released dielectric fluid onto the ground outside the building. Evaluation of the building identified drums containing corrosive, ignitable, and toxic liquids present with the building. On November 19, 2009, EPA directed the owner of the property, Charlestown Mall, LLC, to secure the boiler house (Building 6) due to the ongoing unauthorized salvaging operations, and to dispose of the abandoned hazardous substances within the building. On December 2, 2009, EPA visited the Site and confirmed that Building 6 had been secured, however the owner did not dispose of the drums within the building.

Further evaluation of the large volume of demolition debris was also conducted during the November 2009 assessment. A thorough search of surface of the pulverized debris consistently confirmed small fragments of friable ACM to be present throughout the areas searched. Asbestos content of the fragments ranged from <1% to 80% asbestos (chrysotile and/or amosite).

2. Current Activities

2.1 Operations Section

2.1.1 Current Activities

During this period, September 19-23, 2011, ERRS contractor, Kemron, continued load-out of friable asbestos contaminated demolition debris from the Site. Debris was loaded into roll-off dumpsters double lined with 6 mil poly liners. Once filled, each load is wetted and the liner is sealed. Subcontracted hauler, Riccelli Trucking, is transporting the debris to the landfill. Upon delivery to the landfill, each load is dumped directly into a dedicated, pre-dug trench and covered immediately. Kemron personnel are using fire hoses to perform dust suppression whenever asbestos contaminated debris is being disturbed and to thoroughly wet the material being shipped offsite. A total of 1,353.63 tons of debris were shipped off site for disposal during this period. A total of 2,687.05 tons of asbestos contaminated debris have shipped off site for disposal since September 9, 2011.

RST performed daily perimeter air sampling for asbestos at five stations located around the perimeter of the Site. To date, perimeter air sampling has not identified any positive detections of asbestos. Based on the nature of the work remaining at the Site and based on review of the extensive data set collected thus far, the OSC determined that continued particulate monitoring is no longer necessary.

When available, all air monitoring results will be posted in the documents section of the website. www.epaosc.org/charlestownmall

2.1.2 Response Actions to Date

On November 19, 2009, EPA directed the owner of the Site, Charlestown Mall of Utica, LLC to secure Building 6 and to dispose of the drums containing hazardous substances within the building. On December 2, 2009, EPA visited the Site and confirmed that the building had been secured; however, the owner did not dispose of the materials inside of the building. The abandoned materials will be disposed of by EPA. On August 16, 2010, EPA mobilized ERRS contractors to the Site to initiate removal activities as reported in Section 2.2.1.1.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

In November 2008, NYSDEC BECI along with EPA Removal Action Branch and Criminal Investigation Division executed a search warrant at the Site in response to the unpermitted demolition and potential asbestos release which had been documented at the Site. In 2009, NYSDEC directed Charlestown Mall of Utica, LLC to perform a cleanup of the asbestos contaminated debris and PCBs at the Site. Several PRPs have been identified by EPA's Office of Regional Counsel (ORC) and efforts are ongoing to establish additional potentially liable parties. A complete summary of the enforcement status can be obtained through EPA ORC.

2.1.4 Progress Metrics

Waste Disposal

<i>Waste Stream</i>	<i>Date</i>	<i>Quantity</i>	<i>Manifest #</i>	<i>Treatment</i>	<i>Disposal Facility</i>
RQ,Asbestos, NA2212, 9, PG III	9/09/11	83.13 Tons	CTM001 - CTM004	Landfill	Oneida Herkimer Solid Waste Authority - Ava Landfill NYS Route 294 Ava, NY 13303
RQ,Asbestos, NA2212, 9, PG III	9/12/11	121.58 Tons	CTM005 - CTM012	Landfill	Oneida Herkimer Solid Waste Authority - Ava Landfill NYS Route 294 Ava, NY 13303
RQ,Asbestos, NA2212, 9, PG III	9/13/11	259.90 Tons	CTM013 - CTM028	Landfill	Oneida Herkimer Solid Waste Authority - Ava Landfill NYS Route 294 Ava, NY 13303
RQ,Asbestos, NA2212, 9, PG III	9/14/11	240.93 Tons	CTM029 - CTM043	Landfill	Oneida Herkimer Solid Waste Authority - Ava Landfill NYS Route 294 Ava, NY 13303
RQ,Asbestos, NA2212, 9, PG III	9/15/11	336.5 Tons	CTM044 - CTM063	Landfill	Oneida Herkimer Solid Waste Authority - Ava Landfill NYS Route 294 Ava, NY 13303
RQ,Asbestos, NA2212, 9, PG III	9/16/11	291.38 Tons	CTM063 - CTM078	Landfill	Oneida Herkimer Solid Waste Authority - Ava Landfill

					NYS Route 294 Ava, NY 13303
RQ,Asbestos, NA2212, 9, PG III	9/19/11	381.47 Tons	CTM079 - CTM099	Landfill	Oneida Herkimer Solid Waste Authority - Ava Landfill NYS Route 294 Ava, NY 13303
RQ,Asbestos, NA2212, 9, PG III	9/20/11	327.27 Tons	CTM100 - CTM115	Landfill	Oneida Herkimer Solid Waste Authority - Ava Landfill NYS Route 294 Ava, NY 13303
RQ,Asbestos, NA2212, 9, PG III	9/21/11	388.49 Tons	CTM116 - CTM137	Landfill	Oneida Herkimer Solid Waste Authority - Ava Landfill NYS Route 294 Ava, NY 13303
RQ,Asbestos, NA2212, 9, PG III	9/21/11	256.40 Tons	CTM138 - CTM154	Landfill	Oneida Herkimer Solid Waste Authority - Ava Landfill NYS Route 294 Ava, NY 13303

Refer to PolRep #17 for a summary of asbestos abatement completed.

Refer to PolRep #22 for a summary of waste disposal prior to September 9, 2011

Recycling

Scrap Metal: 171.58 tons

2.2 Planning Section

2.2.1 Anticipated Activities

2.2.1.1 Planned Response Activities

An Action Memorandum was approved on July 16, 2010 detailing the need for and objective of this removal action. Removal activities described in the Action memorandum include the following:

- Characterization and disposal of drums and chemicals located inside Building 6;
- Remove and dispose of the electrical transformers and capacitors from Building 15;
- Containerize and properly dispose of the PCB-contaminated debris from the floor of Building 15;
- Demolish Building 15, segregate and dispose of PCB contaminated material as appropriate;
- Repair/replace existing chain link fence;
- Evaluate Buildings 7, 13, and 17 to determine if any bulk ACM can be safely removed prior to demolition;
- Remove and dispose of ACM from existing dilapidated structures and segregated from the debris;
- Demolish remaining portions of Buildings 5, 7, 13, and 17 that cannot be decontaminated safely;

- Demolish partially collapsed Building 9 to provide additional space to stage asbestos contaminated debris accumulated and provide access to the partially collapsed former firing range, which may contain residual lead and require off-site disposal;
- Segregate and decontaminate scrap metal for recycling;
- Off-site disposal of asbestos-contaminated debris.

2.2.1.2 Next Steps

Kemron, will continue to load out friable asbestos contaminated debris. Load-out of debris is expected to exceed 12,000 tons and last through October 2011.

2.2.2 Issues

None

2.3 Logistics Section

Not Applicable

2.4 Finance Section

2.4.1 Narrative

Overall RST costs to date revised down during this period to reflect finalization of costs reported by Weston Solutions for the 2010 contract year.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS - Cleanup Contractor	\$3,140,000.00	\$1,316,986.39	\$1,823,013.61	58.06%
RST	\$320,000.00	\$238,440.98	\$81,559.02	25.49%
Intramural Costs				
USEPA - Direct	\$135,000.00	\$70,500.00	\$64,500.00	47.78%
Total Site Costs	\$3,595,000.00	\$1,625,927.37	\$1,969,072.63	54.77%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

2.5 Safety Officer

None

2.6 Liaison Officer

Not Applicable

2.7 Information Officer

2.7.1 Public Information Officer

Not Applicable

2.7.2 Community Involvement Coordinator

Community Involvement Coordinator, Cecilia Echols, has been assigned to the Site and has created fact sheet, which is available in the documents section at www.epaosc.org/charlestownmall

3. Participating Entities

3.1 Unified Command

Not Applicable

3.2 Cooperating and Assisting Agencies

New York State Department of Environmental Conservation
New York State Department of Labor

4. Personnel On Site

- 1 - EPA OSC
- 8 - ERRS (KEMRON)
- 1 - RST (Weston Solutions)

5. Definition of Terms

ACM: Asbestos Containing Material
ECCS: Environmental Contracting and Construction Services
ERRS: Emergency Rapid Response Service contract (KEMRON Environmental Services, Inc.)
PACM: Presumed Asbestos Containing Material
PCBs: Polychlorinated biphenyls
PPM: parts per million
OSC: On-Scene Coordinator (US EPA)
RST: Removal Support Team contract (Weston Solutions, Inc.)
TCL: Target Compound List
TSCA: Toxic Substance Control Act

6. Additional sources of information

6.1 Internet location of additional information/reports

- www.epaosc.org/charlestownmall
- <http://www.osha.gov/SLTC/asbestos/>
- <http://www.epa.gov/asbestos/>

6.2 Reporting Schedule

PolReps will be issued on a weekly basis.

7. Situational Reference Materials

Clicking the link below will launch Google™ Earth (if installed on your computer)

<http://www.epaosc.org/sites/5676/files/Charlestown%20Mall%20Site.kmz>

Note: 40 MB download, a high speed internet connection is recommended.

A line drawing depicting building layout of the Site and associated building numbers

<http://www.epaosc.org/sites/5676/files/Charlestown%20Mall%20Layout.pdf>